

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

APR 24 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

AASYLEI LOGGERVALE; et al.,

Plaintiffs-Appellees,

v.

COUNTY OF ALAMEDA; et al.,

Defendants-Appellants.

No. 23-15483

D.C. No. 3:20-cv-04679-WHA
Northern District of California,
San Francisco

ORDER

A review of the record and appellants' motion to stay appellate proceedings (Docket Entry No. 6) reflects that the notice of appeal was filed during the pendency of timely filed motions listed in Federal Rule of Appellate Procedure 4(a)(4). The notice of appeal is therefore ineffective until entry of the order disposing of the last such motion outstanding. *See* Fed. R. App. P. 4(a)(4). Accordingly, appellate proceedings other than mediation will be held in abeyance pending the district court's resolution of the pending motions. *See Leader Nat'l Ins. Co. v. Indus. Indem. Ins. Co.*, 19 F.3d 444, 445 (9th Cir. 1994).

Within 7 days after the district court's ruling on the pending motions, appellants shall notify this court in writing of the ruling and shall advise whether appellants intend to prosecute this appeal.

To appeal the district court's ruling on the post-judgment motions, a new or amended notice of appeal must be filed within the time prescribed by Federal Rule of Appellate Procedure 4.

The Clerk will serve this order on the district court.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Lance C. Cidre
Deputy Clerk
Ninth Circuit Rule 27-7